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**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
ASZD-P01-383

First Named Inventor: Robert Patrick HOf

International (PCT) Application No.: PCT/NL02/00876

U.S. Application No.:
(if known)

Filed: 9 December 2002

Title: PROCESS FOR THE PREPARATION OF 2-(6-SUBSTITUTED-1,3-DIOXANE-4-YL) ACETIC ACID
DERIVATIVES

Attention: PCT Legal Staff
MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

2 NOV 2004

Legal Staff
International Division

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.494(b) or (c) or 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.494(g) or 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee is required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity - fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,330.00 (37 CFR 1.17(m))

2. Proper reply

A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s)) in the form of
U.S. National Phase Application (identify type of reply):

☐ has been filed previously on _____
☒ is enclosed herewith.

07/19/2004 SHAJARRO 00000024 181945 10501250

02 FC:1153 1330.00 DA

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV323520869US, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 8, 2004

Signature: Andrea Berlo (Andrea Berlo)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

☒

Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.

☐

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.37(b) was unintentional.

8 July 2004

Date



Signature

(617) 951-7615

Telephone Number

David P. Halstead, Ph.D.

Typed or printed name

44,735

Registration Number, if applicable

ROPES & GRAY LLP
One International Place
Boston, Massachusetts 02110-2624

Address

Enclosures:

x

U.S. National Phase Transmittal
Preliminary Amendment
Copy of PCT/NL02/00876
Application Data Sheet

x

Fee Payments

☐

Terminal Disclaimer Form

☐